

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of February 20, 2009. Claims 1, 4-6 and 9-20 remain in the application. Claims 2-3 and 7-8 were previously canceled without prejudice.

Reconsideration of the Application is hereby respectfully requested.

The Office Action

The Examiner rejected claims 1, 4-6 and 9-19 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,973,054 to Bjelland.

The Examiner rejected claim 20 under 35 U.S.C. §102(e) as being anticipated by Applicants' Admitted Prior Art (APA).

The Claims Patentably Distinguish Over the Cited Art

The Examiner rejected claims 1, 4-6 and 9-19 as being anticipated by Bjelland. However, as will be detailed below, such claims are not so anticipated.

Initially, it is noted that the Examiner's rejection substantially reflects the Office Action of January 7, 2008. Accordingly, the response filed July 2, 2008 (as well as the previous response filed October 30, 2007), are incorporated herein by reference—and not repeated herein for the convenience of the Examiner.

Notably, however, the Examiner relies on inherency to establish at least nine (9) of the claim elements of claim 1. In view of this alone, it is readily apparent that the cited portions of Bjelland fail to disclose or suggest each and every element of claim 1. Likewise, the elements of independent claim 9 are not anticipated.

The claims (i.e., claim 1) were previously amended to recite that the original half-call context has terminating points in one media gateway and the terminating half-call context has terminating points in another media gateway. This feature is not expressly taught in Bjelland—the term half-call is not used in the cited portion of Bjelland. Also, there is no discussion in these cited portions on the advantage of use of the half-call model as in the present application.

Claim 9 is a means-plus claim and should be considered in light of 35 U.S.C. §112, paragraph 6. So, the described embodiments of the present application (which

relate to the use of a half-cell model) should be considered in the claim interpretation. As such, the arguments applicable to claim 1 likewise apply to claim 9.

Therefore, independent claims 1 and 9 are not anticipated as suggested by the Examiner. Likewise, all claims depend thereon are not anticipated. The rejection should be removed.

The Examiner also rejected claim 20 based on Applicant's Admitted Prior Art (Fig. 3, page 3, paragraph [0009]). However, it is respectfully submitted that the Examiner's rejection is misplaced. The cited portions of the specification relate to traditional approaches to call processing. The deficiencies of these configurations are also well-documented in the specification.

Conversely, the inventor's implementation of the half-call model in the manners described in the specification and drawings is the subject of the claims, including claim 20. The advantages of this half-call model, including flexibility in implementation and configuration, are clearly described as well. Therefore, the purported Admitted Prior Art does not fairly anticipate claim 20. Accordingly, claim 20 should be deemed allowable.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1, 4-6 and 9-20) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

☒ Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	20	- 20 =	0
INDEPENDENT CLAIMS	3	- 3 =	0

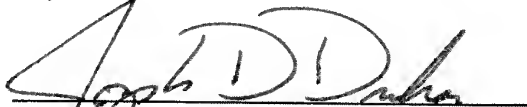
☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account Number 06-0308.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone Joseph D. Dreher, at 216.363.9000.

Respectfully submitted,

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August 20, 2009
Date

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Date: August 20, 2009

Name: Jessica R. Boyd